STATE OF NEW YORK

8786--A

IN SENATE

July 15, 2020

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged and said bill committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to establishing the New York state council on mental health emergency and crisis response

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The mental hygiene law is amended by adding a new section 7.42 to read as follows:

§ 7.42 New York state council on mental health emergency and crisis response.

(a) There is hereby created in the office, the New York state advisory council on mental health emergency and crisis response. The council shall consist of, at a minimum: the commissioner or his or her designee; an individual representing the state conference of local mental hygiene directors as established under article forty-one of this chapter; an individual representing the mental hygiene legal service as established under article forty-seven of this chapter; and sixteen additional members of which six shall be appointed by the governor, four shall be appointed by the speaker of the assembly, four shall be appointed by the temporary speaker of the senate, and one each shall be appointed by the minority leader of the assembly and senate. Each appointed representative shall be representative of the following and shall represent the various geographic areas of the state. Members shall be knowledgeable in emergency mental health services and shall include, but not be limited to: (i) representatives of emergency mental health units that provide transportation of persons experiencing mental health crises to hospitals or other health care facilities; (ii) statewide organizations representing mental health providers; (iii) statewide advocacy groups representing individuals with a psychiatric condition; (iv) representatives of hospitals including but not limited to hospitals operating a comprehensive psychiatric emergency program; (v) physicians and other health and

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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mental health professionals with experience in the delivery of mental health crisis services; and (vi) first responders.

(b) The council shall make recommendations to the commissioner on topics including but not limited to: (i) identifying best practices for response to mental health crises; (ii) the development of a statewide emergency mental health unit system for the transportation of persons experiencing mental health crises to, from or between hospitals and other health care facilities; (iii) creating a program for the training, examination, and certification of certified emergency mental health responders; (iv) the provision of pre-hospital emergency mental health care; (v) public education and outreach on the benefit of effective communication among emergency service providers and health care providers regarding people experiencing mental health crises; and (vi) any other recommendation deemed appropriate by the council.

(c) The term of office of each member shall be two years. Vacancies shall be filled by appointment for the remainder of an unexpired term. The members shall continue in office until the expiration of their terms and until their successors are appointed and have qualified. No member shall be appointed to the state council for more than four consecutive terms.

(d) The council shall meet as frequently as its business may require. The presence of a majority of the members shall constitute a quorum. The members of the council shall receive no compensation for their services as members.

(e) The commissioner, upon request of the council, shall designate an officer or employee of the office to act as secretary of the council, and shall assign from time to time such other employees as the council may require.

(f) The council shall develop and submit a report to the governor, the speaker of the assembly, and the temporary president of the senate no later than December thirty-first, two thousand twenty-one and annually thereafter, pertaining to the recommendations required by this section, and recommendations to effectively implement any initiative identified by the council and other recommendations deemed appropriate by the commissioner.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.